

COURT ORDER NAME CHANGE

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I want to change my name on my original birth certificate. Can I do that without going to court?

No. The law does not allow the Office of Vital Records (OVR) to completely change the registrant's name on a birth certificate unless the registrant has his or her name legally changed through the court process. Only information that was erroneously entered at the time of registration can be amended without going to court.

How do I obtain a court order to change my name?

We suggest you contact an attorney in this matter. If you do not wish to consult an attorney, there are books available at bookstores or public libraries to assist you. OVR cannot provide legal advice, nor does it have information concerning the legal process. You may also want to access the following web site for additional information: www.courtinfo.ca.gov.

After I obtain a court order changing my name, how do I amend my birth certificate?

After the court issues a Decree changing your name, you will need to complete an *Application for Amendment of Birth Record to Reflect Court Order Change of Name* (VS 23). Submit the completed VS 23 form to the Office of Vital Records, Attention: Amended Records, MS 5103, P.O. Box 730241, Sacramento, CA 94244-0241, along with a certified copy of the court order signed by the judge. You must also include the appropriate fee before we can process your request.

What is the fee to amend my birth certificate after a court ordered name change?

There is currently a \$20 processing fee, which includes one certified copy of the newly amended record. Additional certified copies are available for \$15 each. Please indicate on the VS 23 form the number of copies you wish to purchase and enclose the appropriate amount.

Will I receive a new birth certificate reflecting my new name?

No. OVR does not issue new birth certificates after court ordered name changes. Health and Safety Code Section 103405 provides:

“Upon receipt of the application, affidavit, certified copy of the court order and payment of the required fee, the State Registrar shall review the amendment for acceptance for filing, and if accepted, shall file the amendment and shall note the fact of the amendment on the otherwise unaltered original birth certificate. The amendment shall be filed with and become a part of the record to which it pertains, if the original record of birth is on file in the office of the State Registrar.”

You will receive a certified copy of your original birth certificate marked “1 of 2,” and a copy of the amendment marked “2 of 2,” to indicate that your birth certificate is now a 2-page document.

[I was born In California but I changed my name in another state. Are court orders from other states acceptable?](#)

Health and Safety Code Section 103400 provides: *“Whenever a person born in this state has his or her name changed by order of a court of this state, another state, the District of Columbia, or any territory of the United States, an application including an affidavit of this fact may be filed with the office of the State Registrar upon a form provided for that purpose.”*

Therefore, if you obtained your court order from another state, district, or territory of the United States, the order can be used to amend a California birth certificate. **EXCEPTION:** OVR cannot amend a birth certificate to reflect a name change issued in Hawaii. The State of Hawaii uses an administrative name change procedure through the Office of the Lieutenant Governor. This administrative procedure is not acceptable under California law to change a name on a birth certificate.

[Where do I get a VS 23 form?](#)

We are unable to provide this form online. However, you can request that a form be mailed to you by clicking on OVRform@dhs.ca.gov and providing us with your name, mailing address, and the form number you wish to receive. You may also obtain the form from the [County Recorder](#) or the [County Health Department](#) located in any California county. Xeroxed copies of the form are not acceptable.

[How do I complete the VS 23 application form?](#)

There are three parts to the VS 23. **DO NOT** complete any information above PART I. Those spaces are for State Registrar Use only.

PART I. Items 1A-1C are to be completed **exactly** as they appear on your birth certificate. We strongly encourage you to submit a copy of your birth certificate along with the amendment request. This helps facilitate the amendment process by ensuring that we have the exact information needed to locate the original record.

If you need a copy of your birth certificate to complete this section, you may obtain a copy by completing an [Application for Certified Copy of Birth Record](#) and submitting the application to OVR, along with the \$15 fee. **(Note: Effective July 1, 2003, the law imposes new guidelines for obtaining certified copies of birth certificates. This law was passed to help protect against identity theft. Please read the information on the application form carefully. If ordering a copy of your birth certificate prior to July 1, 2003, you will only**

need to complete the Applicant Information and Birth Certificate Information Sections on the front of the application.) The processing time for obtaining a certified copy from OVR is approximately 14 weeks; however, you may obtain a certified copy from the [County Recorder](#) in the county where you were born in a much timelier manner.

PART II. Complete this section with the requested information about the court AND the new name as changed by the court order. **DO NOT** complete Items 13A-13C or 14A-14C, unless the parents' names were changed by the **same** court order.

PART III. Complete Items 15A-15F in PART III.

Since the VS 23 becomes an actual part of your birth record, there can be no erasures, whiteout, or alterations of any kind on the form. It is best to complete the VS 23 with a typewriter (except where signatures are required). If you do not have a typewriter, please complete the application in durable black ink and be sure to write legibly so the information can be easily read. If you'd like, you can complete PART I, sign and date Items 15A and 15B in Part III, and OVR will type the rest of the VS 23 from information contained in the court order. Please do not complete the form using a felt-tipped pen or ink that is not permanent.

[Can I use a photocopy of my court order when applying for my amended birth certificate?](#)

No. The court order must be a **certified copy** of the Decree Changing Name, issued by the court that granted the order. The certified copy must have an *original seal* and an *original signature* of the court clerk, and must be a certified copy of the order with the written signature of the judge – not a stamped or printed name. OVR does not return the court order after your birth record is amended.

[How long will it take to obtain my amended birth certificate?](#)

Due to a current backlog of pending amendments, all requests are processed in the order received. The current processing time is approximately ten months. Please note that processing times are subject to change without notice.

[I still have unanswered questions. Where can I get help?](#)

If you have additional questions, please call (916) 557-6076 and leave your name and telephone number. One of our Amended Records Unit staff will return your call within 48 hours.